

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SHAKEERAH IMANI FREDERICKS,

Plaintiff,

-v.-

NEW YORK CITY DEPARTMENT OF
EDUCATION and UNITED
FEDERATION OF TEACHERS,

Defendants.

24 Civ. 1112 (KPF)

ORDER OF SERVICE

KATHERINE POLK FAILLA, United States District Judge:

Plaintiff, who is appearing *pro se*, brings this action against Defendants New York City Department of Education (“NYCDOE”) and United Federation of Teachers (“UFT”), alleging that she was wrongfully terminated from her employment with the NYCDOE. By order dated February 15, 2024, the Court granted Plaintiff’s request to proceed *in forma pauperis* (“IFP”), that is, without prepayment of fees.

DISCUSSION

Because Plaintiff has been granted permission to proceed IFP, she is entitled to rely on the Court and the U.S. Marshals Service to effect service.¹ *Walker v. Schult*, 717 F.3d. 119, 123 n.6 (2d Cir. 2013); *see also* 28 U.S.C. § 1915(d) (“The officers of the court shall issue and serve all process . . . in

¹ Although Rule 4(m) of the Federal Rules of Civil Procedure generally requires that a summons be served within 90 days of the date the complaint is filed, Plaintiff is proceeding IFP and could not have effected service until the Court reviewed the amended complaint and ordered that summonses be issued. The Court therefore extends the time to serve until 90 days after the date summonses are issued.

[IFP] cases.”); Fed. R. Civ. P. 4(c)(3) (the court must order the Marshals Service to serve if the plaintiff is authorized to proceed IFP).

To allow Plaintiff to effect service on Defendant UFT through the U.S. Marshals Service, the Clerk of Court is instructed to fill out a U.S. Marshals Service Process Receipt and Return form (“USM-285 form”) for Defendant UFT. The Clerk of Court is further instructed to issue summonses and deliver to the Marshals Service all the paperwork necessary for the Marshals Service to effect service upon Defendant UFT.

If the amended complaint is not served within 90 days after the date summonses are issued, Plaintiff should request an extension of time for service. *See Meilleur v. Strong*, 682 F.3d 56, 63 (2d Cir. 2012) (holding that it is the plaintiff’s responsibility to request an extension of time for service).

Plaintiff must notify the Court in writing if her address changes, and the Court may dismiss the action if Plaintiff fails to do so.

CONCLUSION

The Clerk of Court is instructed to issue a summons for Defendant UFT, complete the USM-285 form with the address for Defendant UFT, and deliver all documents necessary to effect service to the U.S. Marshals Service. The Clerk of Court is further directed to mail an information package to Plaintiff.

SO ORDERED.

Dated: May 9, 2025
New York, New York



KATHERINE POLK FAILLA
United States District Judge

SERVICE ADDRESS FOR DEFENDANT UFT

1. UNITED FEDERATION OF TEACHERS
Manhattan Borough Office
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